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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TRANSPACIFIC PASSENGER AIR
TRANSPORTATION ANTITRUST
LITIGATION

Case No. 07-cv-05634-CRB

MDL No. 1913

This Document Relates to:

Diller et al. v. Air New Zealand Limited et al.,
N.D. Cal. Case No. 07-cv-6394-JSW

**PLAINTIFFS RACHEL DILLER AND
TRONG NGUYEN'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
CASES SHOULD BE RELATED**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Civil Local Rules 3-12(b) and 7-11, Plaintiffs Rachel Diller and Trong Nguyen (“Plaintiffs”) hereby move this Court to consider whether the action captioned *Diller et al.*

1 *al. v. Air New Zealand Limited et al.*, N.D. Cal. Case No. 07-cv-6394-JSW (“*Diller*”) should be
2 related to *Wortman et al. v. Air New Zealand, et al.*, N.D. Cal. Case No. 07-cv-5634-CRB
3 (“*Wortman*”). *Wortman* is the low-numbered case. The claims made in *Wortman*, *Diller*, and
4 various other actions are the subject of a multidistrict litigation proceeding assigned to the
5 Honorable Charles R. Breyer captioned *In Re Transpacific Passenger Air Transportation*
6 *Antitrust Litigation*, MDL No. 1913.

7 This administrative motion is made on the grounds that *Wortman* and *Diller* (and a
8 number of other pending actions) all involve substantially similar questions of fact and law and
9 concern the same wrongful acts and occurrences. Specifically, these cases involve allegations
10 that many of the same defendants participated in a conspiracy to fix, raise, stabilize, or maintain
11 the price for passenger air transportation services on transpacific routes between the United States
12 and the Pacific Rim in violation of Section 1 of the Sherman Antitrust Act, 15 U.S.C. §1. Thus,
13 *Diller* and *Wortman* “concern substantially the same parties” as well as the same “property,
14 transaction or event.” L.R. 3-12(a)(1). Given the closely related nature of these cases, the
15 assignment of these actions to the same judge will serve the interests of judicial economy and
16 avoid the potential for conflicting rulings.

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1 Dated: March 18, 2008

Respectfully submitted,

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